

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 285 be amended to read as follows:

- 1 Page 2, between lines 17 and 18, begin a new paragraph and insert:
2 "SECTION 2. IC 6-1.1-4-4.5, AS AMENDED BY P.L.228-2005,
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2009]: Sec. 4.5. (a) The department of local government
5 finance shall adopt rules establishing a system for annually adjusting
6 the assessed value of real property to account for changes in value in
7 those years since a ~~general~~ reassessment **of under a county's**
8 **reassessment plan for the property** last took effect.
9 (b) Subject to subsection (e), the system must be applied to adjust
10 assessed values beginning with the 2006 assessment date and each year
11 thereafter that is not a year in which a reassessment **under the**
12 **county's reassessment plan for the property** becomes effective.
13 (c) The rules adopted under subsection (a) must include the
14 following characteristics in the system:
15 (1) Promote uniform and equal assessment of real property within
16 and across classifications.
17 (2) **For assessment dates before January 16, 2009**, require that
18 assessing officials:
19 (A) reevaluate the **market** factors that affect value;
20 (B) express the interactions of those **market** factors
21 mathematically;
22 (C) use mass appraisal techniques to estimate updated property
23 values within statistical measures of accuracy; and
24 (D) provide notice to taxpayers of an assessment increase that

results from the application of annual ~~adjustments~~ **market factors.**

(3) For assessment dates after January 15, 2009, establish a mass appraisal methodology that:

(A) promotes uniform and equal assessment of real property within and across classifications;

(B) simplifies the methodology used to estimate property values in a way that promotes broad public understanding of and agreement with the market factors used to determine the values assigned to particular parcels of real property;

(C) estimates property values separately for each class of property; and

(D) employs, statewide, the smallest number of different market factors within each classification of property that will permit compliance with clauses (A), (B), and (C) and subsection (d).

(4) For assessment dates in each year after 2011 in which a general reassessment does not become effective, require assessing officials, technical advisers, and professional appraisers to do the following:

(A) Use the market factors established under this section for the estimation of property values.

(B) Provide notice to taxpayers of an assessment increase that results from the application of annual market factors.

(5) Prescribe procedures that permit the application of the adjustment percentages in an efficient manner by assessing officials.

(d) For assessment dates occurring before January 16, 2009, the department of local government finance must review and certify each annual market adjustment determined under this section. For assessment dates occurring after January 15, 2009, the department of local government finance shall, subject to subsection (g), establish the market factors to be used for each class of property in Indiana. In establishing market factors, the department of local government finance shall:

(1) reevaluate the market factors that affect value;

(2) express the interactions of those market factors mathematically; and

(3) use mass appraisal techniques to estimate updated property values within statistical measures of accuracy;

consistent with the requirement of subsection (c)(3). The department of local government finance shall base the development of the market factors on the value changes occurring to large samples of similarly situated properties located in more than one (1) county. The department of local government finance shall provide for the application of the same market factors to similarly

1 situated properties located in the same county and, to the extent
 2 determined appropriate by the department of local government
 3 finance, to similarly situated properties located in contiguous
 4 counties.

5 (e) **This subsection applies to determining the market value in**
 6 **the use of agricultural land.** In making the annual determination of
 7 the base rate to satisfy the requirement for an annual adjustment under
 8 subsection (a) the department of local government finance shall
 9 determine the base rate using the methodology reflected in Table 2-18
 10 of Book 1, Chapter 2 of the department of local government finance's
 11 Real Property Assessment Guidelines (as in effect on January 1, 2005),
 12 except that the department shall adjust the methodology to use a six (6)
 13 year rolling average instead of a four (4) year rolling average.

14 (f) **This subsection does not restrict the evidence that a person**
 15 **appealing a property tax assessment may use to demonstrate the**
 16 **true tax value of property in a timely filed appeal. Except as**
 17 **expressly provided by statute, an assessing official may not use any**
 18 **method of adjusting the assessed value of property that does not:**

19 (1) use the market factors established by the department of
 20 local government finance; or

21 (2) apply the market factors in conformity with the
 22 procedures prescribed by the department of local government
 23 finance.

24 (g) **A county assessor may adjust a market factor established**
 25 **under subsection (d) if:**

26 (1) the county assessor determines that the adjustment is
 27 necessary; and

28 (2) the department of local government finance approves the
 29 adjustment."

30 Renumber all SECTIONS consecutively.

(Reference is to ESB 285 as printed April 10, 2009.)

Representative Espich